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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|-----------------|-------------|----------------------|---------------------|------------------|
| 09/829,169 | 04/09/2001 | Stephen C. Vincent | P04860US0 | 8267 |

22885 7590 04/01/2002
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EXAMINER

MCDONALD, RODNEY GLENN

ART UNIT PAPER NUMBER

1753

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DATE MAILED: 04/01/2002

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No. **09/829,169**

Applicant(s) **Vincent**

Examiner **Rodney McDonald**

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136 (a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on Mar 1, 2002
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11; 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-6 is/are pending in the application.
- 4a) Of the above, claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-6 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claims _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are objected to by the Examiner.
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. § 119

- 13) ☐ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).
- a) ☐ All b) ☐ Some* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

*See the attached detailed Office action for a list of the certified copies not received.

- 14) ☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).

Attachment(s)

- 15) ☒ Notice of References Cited (PTO-892) 18) ☐ Interview Summary (PTO-413) Paper No(s) _____
- 16) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 19) ☐ Notice of Informal Patent Application (PTO-152)
- 17) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 2 20) ☐ Other:

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DETAILED ACTION

Election/Restriction

1. Cancellation of Claims 7-14 is acknowledged. Claims 1-6 will be examined.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless --

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

3. Claims 1-5 are rejected under 35 U.S.C. 102(b) as being anticipated by Young (U.S. Pat. 4,002,542).

Young teach in Fig. 1 a dielectric substrate 10 to which is applied a non-tantalum electrically conductive film electrode 12. The material of the dielectric substrate 10 may be any suitable dielectric material such as glass, ceramic, glass-ceramics or the like. The material of the electrode 12 may be any electrically conductive material which is compatible with tantalum oxide as well as compatible with the method of applying a film of tantalum oxide thereto, such as for example as aluminum, chromium nichrome, or the like. (Column 2 lines 20-30)

The dielectric substrate-electrode composite of FIG. 1 is disposed on substrate holder 16 while a target of tantalum oxide 22 is disposed on target holder 20 within housing 18. Housing 18 is then sealed and a predetermined desired vacuum is drawn therein. The amount of vacuum drawn depends on the materials involved in the sputtering as well as, to some extent, on the

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electrical parameters of the various parts of the apparatus. A quantity of inert ionizable gas is then introduced into housing 18 reducing the vacuum to a predetermined desired level. One familiar with the art can readily select a suitable level of vacuum for a specific set of parameters. The ionizable gas may be any suitable inert ionizable gas such as argon, xenon, nitrogen, or the like. A plasma is then initiated by means of filament cathode 24, anode 26, and dc power sources 36 and 37, while suitable r-f energy is applied to target material 22 by r-f power source 38. If desired, magnetic coils 40 and 42 may be energized to focus the plasma. Under these described conditions, target material 22 will be caused to sputter and be applied over electrode 12 on substrate 10. When desired, a mask may be interposed over electrode 12 to pattern the application of the target material on electrode 12. Such a mask is not shown, however, its nature will be readily understood by one familiar with the art. After a suitable sputtering period of time, a layer or film 44 of target material 22 will be applied to electrode 12 as illustrated in FIG. 3. As heretofore described, the target material for thin film capacitors will be tantalum oxide, Ta₂O₅, which will comprise the capacitor dielectric. Although the proceeding describes a process of r-f triode sputtering from a Ta₂O₅ target, layer or film 44 may be applied by reactive sputtering from a tantalum target, by electron beam evaporation from a Ta₂O₅ target, by r-f diode sputtering from a Ta₂O₅ target, or by like methods. (Column 2 lines 57-68; Column 3 lines 1-24)

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4. Claims 1-6 are rejected under 35 U.S.C. 102(b) as being anticipated by Takamatsu et al. (Japan 59-26277).

Takamatsu et al. teach a tantalum nitride layer 10, a nichrome layer 11, a gold layer 12 and the plated gold layer 13 are provided in four layers on a ceramic substrate 1 by appropriate means, thereafter the layers are patterned to produce a heating resistor and the electrode. Then, a silicon dioxide layer 14 as a protective layer and a tantalum pentoxide layer 15 as the abrasion-resistant layer are provided in two layers by a mask sputtering method. (See Abstract)

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5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Rodney McDonald whose telephone number is (703) 308-3807. The examiner can normally be reached on Monday through Thursday from 8:00 to 5:00. The examiner can also be reached on alternate Fridays.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Nam Nguyen, can be reached on (703) 308-3322. The fax phone number for the organization where this application or proceeding is assigned is (703) 305-3599.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 308-0661.



RODNEY G. MCDONALD
PRIMARY EXAMINER

March 26, 2002

RM